

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SHAUNTE ROBERTSON,)	
)	
Plaintiff,)	
)	No. 07 C 4398
v.)	
)	Magistrate Judge
THOMAS DART, as SHERIFF OF COOK)	Jeffrey Cole
COUNTY, et al.,)	
)	
Defendants.)	

DEFENDANTS' MOTION IN LIMINE NO. 6

**DEFENDANTS' MOTION IN LIMINE TO BAR EVIDENCE
OF PRIOR DISCIPLINARY RECORDS OF ANY OFFICERS
INVOLVED IN THE INCIDENT**

Now come Defendants and move this Court for an Order *in limine* barring Plaintiff from offering any testimony, evidence, or argument regarding the prior disciplinary records of any of the officers involved in this incident. Defendants' motion should be granted because such prior disciplinary records are wholly irrelevant and highly prejudicial to the issue of Defendant Officers' conduct in this case.

Even if there were any arguable probative value to this information, the information should still be excluded as its prejudicial effect would substantially outweigh its value. Here, the disciplinary records of any officers are wholly irrelevant to the issues of Defendant Officers' conduct toward Plaintiff and thus the probative value is extremely low. The prejudicial effect upon Defendant Officers of recounting unsubstantiated allegations of prior misconduct however could be great. Moreover, because the County's liability is wholly derivative of the Defendant Officers' conduct, there is no reason for any of this material to be introduced to the jury with respect to any claims against the County. An order barring such evidence is necessary to ensure a

trial free of prejudicial material.

WHEREFORE, Defendants request that the Court enter an Order *in limine* consistent with the relief sought by this Motion.

Respectively submitted,

/s/ Michael L. Gallagher
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